

Practitioner's Docket No. 0113.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter York, Anthony Wilkins Simon, Anthony Storey Richard, Ernest Walker
Stephen, and Ronald Scott Harland

Application No.: 10/070,093

Group No.: Unknown

Filed: 08/31/2000

Examiner: Unassigned

For: Coformulation Methods and their Products

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EU098717813US

Date of Deposit 07/31/2002

I hereby state that the following *attached* paper or fee

Completion of Filing Requirements, Notification of Missing Requirements, Declaration, Petition
for Non-Signing Inventor, Assignment Recordation Sheet, Assignment

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service
under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231.

Kathy Honnert



Signature of person mailing paper or fee

PTO/PCT Rec'd 31 JUL 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 as "Express Mail Post Office to Addressee" Mailing Label No. EU098717813US on:

Date: 7/31/2002By: Katelyn Horner

DOCKET NO.: 0113.00 (INHALE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: York et al.

SERIAL NO.: 10/070,093

FILED: 8/31/2000

FOR: COFORMULATION METHODS
AND THEIR PRODUCTS

EXAMINER: Unassigned

ART UNIT: Unknown

**PETITION UNDER 37 C.F.R. §1.183
PETITION FOR NON-SIGNING INVENTOR**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully petition the Commissioner pursuant to 37 C.F.R. §1.183 to waive the requirement of all inventors to execute the declaration for the above-identified application. Numerous attempts have been made to reach Dr. Ronald Harland, a co-inventor of the present application, but to no avail. Copies of recent correspondence to Dr. Harland sent via Federal Express, as well as tracking information confirming its delivery, are enclosed. The fee of \$130 pursuant to 37 C.F.R. §1.17 (h) accompanies this petition

Respectfully submitted,
INHALE THERAPEUTIC SYSTEMS, INC.

By: Michael J. Rafa
Michael J. Rafa
Registration No. 38.740

Correspondence Address:

INHALE THERAPEUTIC SYSTEMS, INC.
150 Industrial Road
San Carlos, CA 94070

Serial No. 10/070,093
Docket No. 113.00

Practitioner's Docket No. 0113.00

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/GB00/03328	31 August 2000 (31.08.00)	31 August 1999 (31.08.99)
International Application No.	International Filing Date	Priority Date Claimed

Coformulation Methods and their Products

Title of Invention

York, Peter; Simon, Anthony Wilkins; Richard, Anthony Storey; Stephen, Ernest Walker; and
Harland, Ronald Scott

Applicant(s)

Box PCT
Commissioner for Patents
Washington, D.C. 20231
ATTENTION: EO/US

**COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495
(FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

DECLARATION OR OATH

I. No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

FEES

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date 31 July 2002 in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231 as "Express Mail Post Office to Addressee" Mailing Label No. E0098717813

Date: 7/31/02

Kathy Honnert
Type or print name of person mailing paper
Kathy Honnert
Signature of person certifying

II.

1. Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c): \$130.00

EXTENSION OF TIME

III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of one month, the other than small entity fee for which is \$110.00 as set out in 37 C.F.R. § 1.17(a)(1). If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request	\$110.00
-------------------------------------	----------

PETITION FEE

IV. Petition for Unsigned Inventor	\$130.00
---	----------

TOTAL FEE DUE

IV. The total fee due is:

Completion fee(s)	\$130.00
Extension fee (if any)	\$110.00
Petition fee	\$130.00

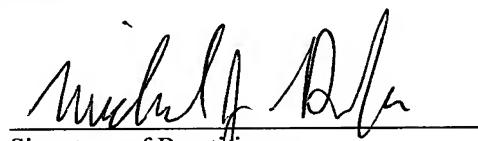
TOTAL FEE DUE \$440.00

PAYMENT OF FEES**V.**

Authorization is hereby made to charge the amount of \$440.00 to Deposit Account No. 500348.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this request is attached.

Date: 7/31/02



Signature of Practitioner

Michael J. Rafa
Inhale Therapeutic Systems, Inc.
150 Industrial Road
San Carlos, CA 94070
U.S.A.

Reg. No.: 38,740
Tel. No.: 650-631-5053
Customer No.: 21968

MAILED/RECD BY REYL 00000000 500348 10070993

AMOUNT
\$440.00
U.S. Dollars

inhale

June 6, 2002

VIA FEDERAL EXPRESS

Dr. Ronald Harland
1 Harlow Court
Yardley, PA 19067

Re: U.S. Patent Application Serial No. 10/070,093
National Phase of PCT/GB00/03328
for COFORMULATION METHODS AND THEIR PRODUCTS
(SEDS VIII)
Our Reference: 0113.00

Dear Dr. Harland,

Enclosed is a Declaration and Assignment for the above-referenced application for which you are an inventor. Please review the documents, sign where indicated and return to me in the enclosed Federal Express envelope. Please note the documents need to be filed with the U.S. Patent and Trademark Office by July 1, 2002. If you have any questions, please don't hesitate to contact me at (650)631-5053.

Thank you for your assistance with this matter.

Best regards,


Michael J. Rafa

FedEx®	United States
Ship Track Rates Signature Proof Locations Pickup International Tools	
Home About FedEx Service Info Careers eBusiness Tools Manage My Account Customer Service Site Index	
Select More Online Services <input type="button" value="Go"/>	
Search for <input type="button" value="Go"/>	

- › [Track Shipments](#)
- › [Alternate Reference Track](#)
- › [Email Track](#)
- › [FedEx InSight](#)
- › [Custom Critical](#)
- › [Cargo Track](#)
- › [FedEx Freight](#)

Track Shipments Detailed Results

[Quick Help](#)

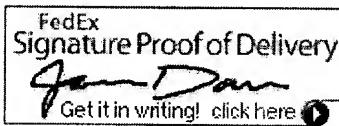
Related Links

- › [Signature Proof](#)
- › [My FedEx](#)
- › [FedEx Wireless Solutions](#)
- › [Handheld Track](#)
- › [FedEx Sidebar](#)
- › [Print, Bind & Ship](#)
- › [FedEx Address Checker](#)

Tracking Number 822077037575
Reference Number
Ship Date 06/07/2002
Delivered To Recipient
Delivery Location MORRISVILLE PA
Delivery Date/Time 06/10/2002 10:51
Signed For By D.HARLAND
Service Type Standard Letter

Tracking Options

- Obtain a [Signature Proof of Delivery](#)
- [Email these tracking results to one or more recipients](#)
- [Track More Shipments](#)



Scan Activity	Date/Time	Comments
DeliveredBRISTOL PA	06/10/2002 10:51	
On FedEx vehicle for deliveryBRISTOL PA	06/10/2002 07:52	
Package statusBRISTOL PA	06/08/2002 09:07	Package in FedEx location
Arrived at FedEx Destination LocationBRISTOL PA	06/08/2002 09:06	
Package statusBRISTOL PA	06/08/2002 08:18	Package not due for delivery
Left FedEx RampPHILADELPHIA PA	06/08/2002 07:21	
Left FedEx Sort FacilityMEMPHIS TN	06/08/2002 02:41	
Arrived at Sort FacilityMEMPHIS TN	06/08/2002 01:34	
Left FedEx RampSAN JOSE CA	06/07/2002 19:35	
Arrived at FedEx RampSAN JOSE CA	06/07/2002 18:27	
Picked up by FedExMENLO PARK CA	06/07/2002 15:48	
Left FedEx Origin LocationMENLO PARK CA	06/07/2002 12:25	

Email Your Detailed Tracking Results

Enter your email (optional), up to three email addresses as recipients, add your message, and click on **Send Email**.

From	<input type="text"/>
To	<input type="text"/>
To	<input type="text"/>

FedEx
Tracking
Number

820 7703 7575

Please print and press hard.

Sender's FedEx
Account Number

1511-2207-8

MIKE Rafa

Phone (650) 631-3150

Company INHALE THERAPEUTIC SYSTEMS

Address 150 INDUSTRIAL RD

Dept./Floor/Suite/Room

SAN CARLOS

State CA ZIP 94070

Internal Billing Reference

Characters will appear on invoice.

OPTIONAL

Dr Ronald Harland,
PhoneCompany
Address 1 Harlow Court

D at FedEx location, print FedEx address.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Yardley State PA ZIP 19067

Dept./Floor/Suite/Room

PA 19067

Peele Land & Stick FedEx USA AIRBILL

See back for application instructions.

Questions? Call 1-800-Go-FedEx® (800-463-3339)

Visit our Web site at www.fedex.comBy using this Airbill you agree to the service conditions on the back of this Airbill
and in our current Service Guide, including terms that limit our liability.

O 149764658

4a Express Package Service

 FedEx Priority Overnight
Next business morning FedEx Standard Overnight
Next business afternoon FedEx First Overnight
Earlier next business morning
Delivery commitment may be later in some areas. FedEx 2Day*
Second business day FedEx Express Saver*
Third business day*FedEx Envelope/Letter Rate not available
Minimum charge: One-pound rate

4b Express Freight Service

 FedEx 1Day Freight*
Next business day FedEx 2Day Freight
Second business day FedEx 3Day Freight
Third business day

*Call for Confirmation:

5 Packaging

 FedEx Envelope/Letter* FedEx Pak*

*Declared value limit \$500

 Other Pkg.
Includes FedEx Box, FedEx
Tube, and customer pkg.

6 Special Handling

 SATURDAY Delivery SUNDAY Delivery

Include FedEx address in Section 3.

Available for FedEx Priority
Overnight and FedEx 2Day
to select ZIP codesAvailable for FedEx Priority
Overnight to select ZIP codes HOLD Saturday
at FedEx Location
Not available with
FedEx First Overnight HOLD Weekly
at FedEx Location
Not available with
FedEx First Overnight HOLD Saturday
at FedEx Location
Available for FedEx Priority
Overnight and FedEx 2Day
to select locations

Does this shipment contain dangerous goods?

One box must be checked.

 No YesAs per attached
Shipper's Declaration YesShipper's Declaration
not required Dry Ice

Dry Ice, & UN 1945 _____ x _____ kg

Dangerous Goods cannot be shipped in FedEx packaging.

 Cargo Aircraft Only

7 Payment Bill to:

 Sender
Acct. No. in Section
I Will be billed. Recipient
Acct. No. in Section Third Party Credit Card Cash/CheckFedEx Acct. No.
Credit Card No.

151122078

Expo.
Date

Total Packages Total Weight Total Declared Value†

\$.00

†Our liability is limited to \$100 unless you declare a higher value. See back for details.

FedEx Use Only

8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature
and agree to indemnify and hold us harmless from any resulting claims.

SRP 0600 Rev Date 3/00 Part #155912 ©1994-2000 FedEx PRINTED IN U.S.A.

402

United States

FedEx

Ship Track Rates Signature Proof Locations Pickup International Tools

Home | About FedEx | Service Info | Careers | eBusiness Tools | Manage My Account | Customer Service | Site Index

Select More Online Services

Search for

- › [Track Shipments](#)
- › [Alternate Reference Track](#)
- › [Email Track](#)
- › [FedEx InSight](#)
- › [Custom Critical](#)
- › [Cargo Track](#)
- › [FedEx Freight](#)

Track Shipments Summary Results

[Quick Help](#)

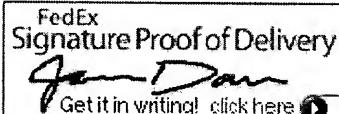
FedEx Express Not Found

No scan record for the following shipments has been received by our system yet.
Please try again later or contact [Customer Service](#).

Tracking Number

822077037586

[Track More Shipments](#)



[fedex.com Terms of Use](#) | [Contact Us!](#)

This site is protected by copyright and trademark laws under U.S. and
International law. Review our [privacy policy](#). All rights reserved.
© 1995-2002 FedEx



8220 7703 7586

FedEx
Tracking
Number

1 Please print and press hard.

Sender's FedEx
Account Number

1511-2207-8

Name
18

Phone (650) 631-3150

Company INHALE THERAPEUTIC SYSTEMS

Address 150 INDUSTRIAL RD

Dept/Floor/Suite/Room

SAN CARLOS

State

CA

ZIP 94070

Internal Billing Reference

OPTIONAL

Client's
Name Mike Rafa

Phone 1650 631 5053

Company Inhak Therapeutic Systems
Address 150 Industrial Rd

Note LD* at FedEx location, print FedEx address.

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept/Floor/Suite/Room

CA

ZIP 94070

See back for application instructions.

Questions? Call 1-800-Go-FedEx® (800-463-3339)

Visit our Web site at www.fedex.comBy using this Airbill you agree to the service conditions on the back of this Airbill
and in our current Service Guide, including terms that limit our liability.

0149764658

SAC21

0215

Sender's Copy

4a Express Package Service

 FedEx Priority Overnight
Next business morning FedEx Standard Overnight
Next business afternoon FedEx First Overnight
Earliest next business morning
Delivery to select locations FedEx 2Day®
Second business day FedEx Express Saver®
Third business day* FedEx Envelope/Letter Rate not available
Minimum charge: One-pound rate

4b Express Freight Service

 FedEx 1Day Freight®
Next business day FedEx 2Day Freight
Second business day FedEx 3Day Freight
Third business day

* Call for Confirmation:

5 Packaging

 FedEx Envelope/Letter® FedEx Pak® Other Pkg.
Includes FedEx Box, FedEx
Tube, and customer p/p.

6 Special Handling

SATURDAY Delivery

 Available for FedEx Priority
Overnight and FedEx 2Day
to select ZIP codes

SUNDAY Delivery

 Available for FedEx Priority
Overnight to select ZIP codes

Include FedEx address in Section 3.

HOLD Weekday

 at FedEx Location
Not available with
FedEx First Overnight HOLD Saturday
at FedEx Location
Available for FedEx Priority
Overnight and FedEx 2Day
to select locations

Does this shipment contain dangerous goods?

One box must be checked.

 No Yes
As per attached
Shipper's Declaration Yes
Shipper's Declaration
not required

Dangerous Goods cannot be shipped in FedEx packaging.

 Dry Ice
Dry Ice, 9, UN 1845 _____ x _____ kg Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below:
 Sender Recipient Third Party Credit Card Cash/CheckFedEx Acct. No.
Credit Card No.151122070
Exp. DateTotal Packages Total Weight Total Declared Value†
\$.00

† Our liability is limited to \$100 unless you declare a higher value. See back for details.

FedEx Use Only

8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature
and agree to indemnify and hold us harmless from any resulting claims.

SPP 0600 Rev. Date 3/00 Part #155912 ©1994-2000 FedEx PRINTED IN U.S.A.

402



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,093	Peter York	0113.00
		INTERNATIONAL APPLICATION NO.
		PCT/GB00/03328
		I.A. FILING DATE PRIORITY DATE
		08/31/2000 08/31/1999
RECEIVED MAY 1 2002		
CONFIRMATION NO. 7330 371 FORMALITIES LETTER		
 INHALE THERAPEUTIC SYSTEMS *OC000000007978673*		

Date Mailed: 05/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Missing Parts 7/102

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,093	PCT/GB00/03328	0113.00

FORM PCT/DO/EO/905 (371 Formalities Notice)